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Attorneys for Defendant
HAI MANH HOANG

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|---------------------------|---|---------------------------------------|
| UNITED STATES OF AMERICA, |) | NO: 10-00731 LHK |
| |) | |
| Plaintiff, |) | STIPULATION AND (PROPOSED) |
| |) | ORDER CONTINUING CHANGE OF |
| vs. |) | PLEA AND DOCUMENTING |
| |) | EXCLUSION OF TIME |
| HAI MANH HOANG, et al., |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

Defendant, Hai Manh Hoang, through counsel Richard P. Pointer and the United States through Michelle J. Kane hereby stipulate to the continuance of the status hearing from June 20, 2012, to July 25, 2012 at 9:00 a.m.

It is agreed between the parties that the following reasons exist for this stipulation:

(1) Defendant remains mentally unstable at this time. Defense counsel believes that additional time is needed to allow his medication to work wherein he understands plea agreement.

The government and defense stipulate that the factors stated above provide a basis for an exclusion of time pursuant to the Speedy Trial Act (18 U.S.C. Section 3161 (h)(7)(B)(iv) in that the

ends of justice outweigh the public interest in an earlier trial date.

Respectfully submitted,

Dated: June 19, 2012

/s/ Richard P. Pointer

Richard P. Pointer
Attorney for Hai Manh Hoang

Dated: June 19, 2012

/s/ Michelle J. Kane

Michelle J. Kane
Assistant United States Attorney

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|---------------------------|---|-------------------------|
| UNITED STATES OF AMERICA, |) | NO: 10-00731 LHK |
| |) | |
| Plaintiff, |) | |
| |) | ORDER OF CONTINUANCE OF |
| vs. |) | STATUS CONFERENCE |
| |) | |
| HAI MANH HOANG, |) | |
| |) | |
| Defendant. |) | |

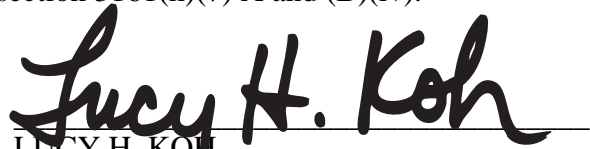
Accordingly, for good cause shown,

The court HEREBY ORDERS that the status appearance scheduled for June 20, 2012 at 9:00 a.m., is continued to July 25, 2012 at 9:00 a.m..

THE COURT FURTHER ORDERS time be excluded under the Speedy Trial Act from June 20, 2012 to July 25, 2012. The court finds, based on the aforementioned reasons, that the ends of justice is served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant the requested continuance would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. section 3161(h)(7) A and (B)(iv).

SO ORDERED.

Dated: June 19, 2012


LUCY H. KOH
United States District Judge